

have already been signed and which will be in use within eight months of the authorization date.

(d) Failure on the part of the applicant to provide all information required by the application form or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

(e) All applications for modification of license and renewal of license must include the number of mobile transmitters and paging receivers in use on the licensed facilities.

[43 FR 54791, Nov. 22, 1978, as amended at 43 FR 59071, Dec. 19, 1978; 44 FR 27995, May 14, 1979; 47 FR 41044, Sept. 16, 1982; 51 FR 14996, Apr. 22, 1986; 52 FR 10231, Mar. 31, 1987; 54 FR 39739, Sept. 28, 1989; 56 FR 65858, Dec. 19, 1991; 57 FR 48739, Oct. 28, 1992; 62 FR 18924, Apr. 17, 1997]

EFFECTIVE DATE NOTE: At 62 FR 18924, Apr. 17, 1997, § 90.127 was amended by revising the first sentence of paragraph (a) introductory text and the first sentence of paragraph (a)(1), effective Oct. 17, 1997.

§ 90.129 Supplemental information to be routinely submitted with applications.

Each application received by the Commission must be accompanied by the applicable information listed below:

(a) Evidence of frequency coordination as required by § 90.175.

(b) Description of any equipment proposed to be used if it does not appear on the Commission's current Radio Equipment List, Equipment Acceptable for Licensing, and designated for use under this part.

(c) A functional system diagram and a detailed description of the manner in which the interrelated stations will operate, if the station is part of a system involving two or more stations at different fixed locations.

(d) Applicants proposing to share their authorized transmitters pursuant to § 90.179 shall so indicate in their application.

(e) Applicants proposing to construct a radio station in the vicinity of radio astronomy observatories in West Virginia or in the vicinity of a radio receiving zone in Colorado must submit the statements prescribed by § 90.177.

(f) Statements required in connection with developmental operation, as specified in § 90.505.

(g) The environmental assessment required by §§ 1.1307 and 1.1311 of the rules, if applicable.

(h) Requests for authorization to communicate with foreign stations in accordance with § 90.20(b) or § 90.417;

(i) Showings required in connection with the use of frequencies as specified in subpart S.

(j) Any other statements or other data specifically required under special circumstances which are set forth in the applicable subpart of this part, by the particular form on which the application is filed or upon request by the Commission.

(k) If the applicant proposes to use a multiple-licensed transmitter, he must provide the name of the owner and the names and call signs of any other licensees of that transmitter.

(l) Applicants for new land stations to be interconnected with the public switched telephone network must indicate on their applications that their stations will be interconnected.

(m) Applicants requesting licenses to operate on frequencies pursuant to § 90.20(d)(6) must submit disaster communications plans containing the following information:

(1) A system network/system use diagram including a showing of emergency power and methods of deployment to all parts of the State or insular area;

(2) A designation of the responsible governmental authority within the State or insular area who will be the controlling agency for the licensee;

(3) A schedule of proposed drills and/or exercises by the participants;

(4) The number of frequencies in each band, and the type of emission required by the applicant;

(5) The distances expected to be covered within that State or insular area;

(6) The adjacent states and insular areas expected to be communicated with during a regional disaster or emergency;

(7) The point of contact for emergencies involving more than one State or insular area;

(8) The common frequency band(s) and number of frequencies in each band required for interstate communication,

and the point(s) of contact for these adjacent States or insular areas;

(9) The format and emission parameters of radio teletype transmissions to be used for interstate communications.

(n) All applications for renewal of base/mobile station licenses by licensees who also operate wildlife tracking telemetry transmitters, as described in § 90.20(f)(7), must include a statement detailing the number of units in service, by frequency, on Public Safety Pool frequencies at the time the renewal application is filed.

(o) Applicants requesting licenses to operate on frequencies pursuant to § 90.35(c)(1) must submit communications plans containing the following information:

(1) A description of the communication requirement sufficient to demonstrate that no alternative to the link is appropriate and that there is no reasonable way to abbreviate the link;

(2) The frequency bands and the number of frequencies necessary for the link(s);

(3) The name and phone number of the person(s) responsible for ceasing operations of the licensee's stations in the event of interference; and,

(4) Where the link(s) provides a standby backup circuit for another communications circuit, a brief description of the supported circuit and its vulnerability to disruption.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

[43 FR 54791, Nov. 22, 1978]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 90.129, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 62 FR 18924, Apr. 17, 1997, § 90.129 was amended by revising paragraphs (h) and (n) and the introductory text of paragraphs (m) and (o), effective Oct. 17, 1997.

§ 90.131 Amendment or dismissal of applications.

This rule governs all applications relating to radio services in this part, including applications filed by entities meeting the requirements of § 20.9(c) of this chapter, except applications concerning facilities used to provide commercial mobile radio services, which are governed by § 90.161.

(a) Any application, except for mutually exclusive applications or those against which a petition to deny has been filed, may be amended as a matter of right at any time prior to the time the application is granted or designated for hearing. Each amendment to an application shall be signed and submitted in the same manner as required for the original application. The procedures for amending applications mutually exclusive under this part, applications against which a petition to deny has been filed, and applications designated for hearing are set forth in § 1.918.

(b) Any application may, upon written request signed by the applicant or his attorney, be dismissed without prejudice as a matter of right prior to the time the application is granted or designated for hearing.

[43 FR 54791, Nov. 22, 1978, as amended at 59 FR 59958, Nov. 21, 1994]

§ 90.135 Modification of license.

(a) The following changes in authorized stations require an application for modification of license:

(1) Change in frequency.

(2) Change in the type of emission, except under the conditions specified in paragraph (b)(5) of this section.

(3) Change in power from that authorized.

(4) Change in antenna height from that authorized.

(5) Change in the authorized location or number of base stations, fixed, control or, for systems operating on non-exclusive assignments in the 470-512 MHz, 800 MHz or 900 MHz bands, a change in the number of mobile transmitters, or a change in the area of mobile operations from that authorized.

(6) Change in the class of a land station, including changing from multiple licensed to cooperative use, and from shared to unshared use.

(7) Any change in ownership, control, or corporate structure.

(b) The following changes in authorized stations do not require an application for modification of license.

(1) Change in mailing address of licensee.

(2) Change of name only of licensee, without changes in ownership, control, or corporate structure.